

**MINUTES OF THE CITY OF WEST JORDAN
CITY COUNCIL MEETING**

Wednesday, December 17, 2014

6:00 p.m.

Council Chambers

8000 South Redwood Road

West Jordan, Utah 84088

COUNCIL: Mayor Kim V. Rolfe and Council Members Jeff Haaga, Judy Hansen, Chris M. McConnehey, Chad Nichols, Ben Southworth, and Justin D. Stoker.

STAFF: Bryce Haderlie, Interim City Manager; Jeff Robinson, City Attorney; Melanie Briggs, City Clerk; David Oka, Economic Development Director; Tom Burdett, Development Director; Ryan Bradshaw, Finance Manager/Controller; Wendell Rigby, Public Works Director; Marc McElreath, Fire Chief; Doug Diamond, Police Chief; Brian Clegg, Parks Director; Nick Geer, Financial Analyst, and Julie Brown, Event Coordinator.

CALL TO ORDER

Mayor Rolfe called the meeting to order at 5:02 p.m.

I. CLOSED SESSION

DISCUSS THE CHARACTER, PROFESSIONAL COMPETENCE, OR PHYSICAL OR MENTAL HEALTH OF AN INDIVIDUAL;

STRATEGY SESSION TO DISCUSS THE PURCHASE, EXCHANGE, OR LEASE OF REAL PROPERTY, INCLUDING ANY FORM OF A WATER RIGHT OR WATER SHARES.

COUNCIL: Mayor Rolfe and Council Members Jeff Haaga, Judy Hansen, Chris M. McConnehey, Chad Nichols, and Justin D. Stoker. Councilmember Ben Southworth arrived at 5:10 p.m.

STAFF: Bryce Haderlie, Interim City Manager, Jeff Robinson, City Attorney, and David Clemence, Real Property Agent.

MOTION: Councilmember Nichols moved to go into a Closed Session to discuss the character, professional competence, or physical or mental health of an individual; and a strategy session to discuss the purchase, exchange, or lease of real property, including any form of a water right or water shares. The motion was seconded by Councilmember Hansen.

A roll call vote was taken

Councilmember Haaga	Yes
Councilmember Hansen	Yes
Councilmember McConnehey	Yes
Councilmember Nichols	Yes
Councilmember Southworth	Absent
Councilmember Stoker	Yes
Mayor Rolfe	Yes

The motion passed 6-0.

The Council convened into a Closed Session at 5:03 p.m.

Councilmember Southworth arrived at 5:10 p.m.

The Council recessed the Closed Session at 6:05 p.m. and reconvened the meeting at 6:07 p.m.

II. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Nick Geer.

III. COMMUNICATIONS

a. INTERIM CITY MANAGER COMMENTS/REPORTS

Bryce Haderlie –

- Per previous Council direction, further information had been gathered regarding the low number of responses to the RFP for audio/video streaming equipment. Reports indicated that the RFP had been too vague and had not allowed sufficient time for potential vendors to prepare their responses. The Council agreed to reject those responses, re-work the RFP, and put it back out for proposals.

b. STAFF COMMENTS/REPORTS

David Oka –

- Regarding the Prison Relocation Commission, despite the fact that the property owners had withdrawn their property from consideration, staff was assembling an information packet outlining the information gleaned from the recent Town Meeting that was held on the subject. Mr. Oka expressed his appreciation to all the other departments that had assisted on the issue.

Ryan Bradshaw-

- Updated the Council regarding the status of the City's online payment system. He explained that PayPal had reported the potential for a security breach and that a system upgrade was required to mitigate the breach. The upgrade caused a disconnect between PayPal and Pentamation which would have been both time-

consuming and expensive to repair. It made more sense to move forward with the new on-line payment program which he was hoping would be up and running by mid-January.

Wendell Rigby-

- A residential/commercial water meter position had become available due to a recent promotion. Mr. Rigby anticipated moving forward with that immediately.
- Curbside Christmas tree recycling would be available from December 29 through January 9. For those without curbside recycling, there would be drop-off locations available at the West Jordan Soccer Park, Constitution Park and the West Jordan Community Swimming Pool.

Marc McElreath-

- Updated the Council on the progress of Station 54/Police Substation construction project. Mud and taping was in progress and painting was to begin on Friday, December 19. Project was on target for crews to move back into the building by April 1, 2015.
- Chief Doug Diamond of the Police Department was elected to take over as the Chairperson for the Operations Board of Valley Emergency Communication Center (VECC) and would assume that role as of January.

Doug Diamond-

- Two new police officers were scheduled to graduate Thursday, December 18 from the P.O.S.T. Academy (Peace Officer Standards and Training) at 11am. Two others had graduated the previous week from the Salt Lake Community College Law Enforcement Academy. Badge pinning for all four officers would take place on January 7 at 4:30 p.m.

CITY COUNCIL COMMENTS/REPORTS

Councilmember McConnehey –

- Expressed frustration with the current phone system, and how difficult it was to reach specific employees. He requested an update on the status of a new phone system. Mr. Haderlie explained that implementation would begin in January. Councilmember McConnehey requested that a change be made to the current system in the meantime so that callers could more easily reach a live human being.

Councilmember Hansen –

- Expressed her appreciation to City Staff for their hard work and assistance during what had been a difficult year.

Councilmember Nichols –

- Indicated how proud he was of the community at large and the way in which everyone came together earlier in the week and let their voices be heard in opposition to building a prison in West Jordan.

Councilmember Southworth-

- Also expressed his pleasure with the team effort that was displayed by the Council, staff, citizens, land owners, land developers, etc. who rallied together to fight a just cause.

Councilmember Stoker-

- Indicated that he concurred with the comments made by Councilmembers Nichols and Southworth.

Mayor Rolfe –

- Expressed his appreciation for the staff, the citizens, the Jones family, Boeing, and the Jordan School District in addition to many others. He pointed out, however, that the fight was not over for West Jordan until they were officially removed from the list of potential prison sites. Residents were still encouraged to attend the Prison Relocation Commission meeting on Monday, December 22, contact members of that commission and their local representatives, and sign the on-line petition.

Councilmember Haaga-

- Pointed out that Salt Lake County unanimously passed a resolution in opposition to relocating the prison to a West Jordan location.

IV. CITIZEN COMMENTS

Alexandra Eframo, West Jordan resident, asked that the group pause to reflect upon common goals before beginning the business of the meeting. She expressed her appreciation to everyone for their efforts. She asked that the Council do all they could to make the West Jordan Animal Shelter a No-Kill Shelter. Finally, she commended the Police Department for the job they did recently in apprehending some armed robbery suspects.

Nadalee Nunnelee, West Jordan resident, wished to address the Council regarding the fact that the City had lost, and continued to lose, many seasoned and experienced law enforcement officers to surrounding agencies due to lower pay. Each departing officer represented a financial loss of approximately \$100,000.00 to the City when one considered the funds spent on background checks, hiring and training of each officer. Although she was happy that the Council previously approved a pay raise but it primarily addressed supervisors and did nothing for the mid-level officers with four to ten years of experience. She urged the Council to take the necessary steps to ensure that West Jordan's Police Department did not become one comprised of inexperienced officers.

There was no one else who wished to speak.

V. *CONSENT ITEMS*

- 5.a** Approve the minutes of November 19, 2014, and December 3, 2014 as presented
- 5.b** Approve Resolution 14-227, confirming the City Council appointment of members to serve on the various committees [Bryce Haderlie]
- 5.c** Approve Resolution 14-228, authorizing the Mayor to execute an Agreement between the City and Salt Lake County for the Tier II 'Zoo, Arts, and Parks' funding for the West Jordan Arts Council [Bryce Haderlie]
- 5.d** Approve Resolution 14-229, approving funding of the Deputy Director of Public Works position [Wendell Rigby]
- 5.e** Approve Resolution 14-230, authorizing Staff to close 1300 West 8200 South, and 4000 West 9250 South for 45 and 30 days respectively, to accommodate the Bingham Creek Culvert Replacement Project at 1300 West 8200 South, and 4000 West 9250 South [Wendell Rigby]
- 5.f** Approve Resolution 14-231, authorizing the Mayor to execute Amendment No. 1 to the Professional Services Agreement with Hansen Allen & Luce, Inc., for the Secondary Water Master Plan in an amount not to exceed \$25,100.00 [Wendell Rigby]
- 5.g** Approve Resolution 14-232, authorizing the Mayor to execute a Federal Aid Agreement between the Utah Department of Transportation (UDOT) and the City for intersection improvement as 7800 South 1300 West in an amount not to exceed \$32,677.00 [Wendell Rigby]
- 5.h** Approve Ordinance 14-37, vacating a portion of 3620 West between 7800 South and 7825 South [Tom Burdett]
- 5.i** Approve Resolution 14-233, opposing the location of a new State prison in the City [Bryce Haderlie]

MOTION: Councilmember Nichols moved to approve Consent Items 5.a through 5.i. The motion was seconded by Councilmember Hansen.

A roll call vote was taken

Councilmember Haaga	Yes
Councilmember Hansen	Yes
Councilmember McConnehey	Yes
Councilmember Nichols	Yes
Councilmember Southworth	Yes
Councilmember Stoker	Yes
Mayor Rolfe	Yes

The motion passed 7-0.

VI. BUSINESS ITEMS

DISCUSSION AND POSSIBLE ACTION REGARDING RESOLUTION 14-233, ACCEPTING THE AUDIT REPORT AND PRESENTATION OF THE CONSOLIDATED ANNUAL FINANCIAL REPORT FOR FISCAL YEAR ENDING JUNE 30, 2014

Ryan Bradshaw expressed his appreciation for those individuals and departments who participated in compiling the information within the report. He turned the time over to Marcus Arbuckle, a partner of the firm Keddington and Christensen, LLC. He reviewed the audit report of the City. He pointed out that one of the Council's responsibilities was oversight over the financial reporting process and that City management bore the responsibility for preparing the financial statements. He also stated that an audit did not relieve either of those bodies of their respective responsibilities.

One area for improvement that his firm identified concerned the City's financial closing reporting process. Some areas were not being properly reviewed, resulting in several errors that came to light during the auditing process. He also recommended that the reporting be done in a timelier manner. The best finance departments had a schedule wherein each employee had a list of responsibilities to be met on a monthly, quarterly and annual basis and then an additional person was to review each of those areas. He encouraged the City to tighten those controls within the financial reporting process.

A second area for improvement that was identified during the audit involved expenditures in excess of budget. There were expenditures over budget in both the Kraftmaid SID fund and the City capital support fund. Mr. Arbuckle recommended that the City amend those budgets at year end.

The only other area of non-compliance involved Utah's Open and Public Meetings Act. The Act required that meeting minutes be uploaded to the Utah Public Notice website within three days of approval. The meeting dates that his firm checked did not meet that requirement.

Ryan Bradshaw explained that he and the auditors would soon begin the process of setting up monthly, quarterly and yearly checklists that Mr. Arbuckle had referenced in his report. Regarding the matter of being over budget in Capital Support, that was due to the

refunding of the General Obligation Bond. He had forgotten to return to the Council and obtain their approval for that expenditure. The effect to the fund was zero however. Similarly, regarding the Kraftmaid SID, there was a developer reimbursement as part of the project that came from the Water Fund. The funds were paid through the Kraftmaid SID fund so revenue came in and the expense went out for a zero effect to the budget. Regarding the posting of public meeting minutes to the Utah Public Notice website, the City Clerk posts a link to the City's minutes on the website, making them available to the public almost instantaneously.

Councilmember Haaga pointed out that the City's sales tax revenues are up 5% from last year.

MOTION: Councilmember Nichols moved to approve Resolution 14-233. The motion was seconded by Councilmember Southworth.

A roll call vote was taken

Councilmember Haaga	Yes
Councilmember Hansen	Yes
Councilmember McConnehey	Yes
Councilmember Nichols	Yes
Councilmember Southworth	Yes
Councilmember Stoker	Yes
Mayor Rolfe	Yes

The motion passed 7-0.

DISCUSSION AND POSSIBLE ACTION REGARDING RESOLUTION 14-234, RECOMMENDATION FROM HANSEN, ALLEN & LUCE REGARDING THE CITY'S WATER CONSERVATION PLAN UPDATE

West Jordan submitted its first formal water conservation plan to the Utah Division of Water Resources in October 2004, in compliance with the Utah Water Conservation Plan Act (73-10-32 UCA). This state law required each municipality to submit a plan update once every 5 years. West Jordan's next plan update was due by the end of 2014.

In the past, the City of West Jordan had carried out several small scale water conservation programs (public education, school programs, toilet rebates, water-wise plant rebates, landscape ordinances, landscape awards, etc). Conservation programs were funded in past years as shown in the table below. Programs were discontinued in 2012 in an effort to reduce expenses and keep water rates low.

Fiscal Yr:	05-06	06-07	07-08	08-09	09-10	10-11	11-12	12-13	13-14	14-15 (est)
City Funds	\$33,021	\$49,186	\$71,902	\$50,435	\$1,350	\$348	\$3,375	0	0	\$6,600
JVWCD Grant	0	\$50,000	0	\$30,260	0	0	0	0	0	\$50,000
Totals	\$33,021	\$99,186	\$71,902	\$80,695	\$1,350	\$348	\$3,375	0	0	\$56,600

Estimated conservation expenses in 2014-15 included \$6,600 for an engineering consultant to help write the Conservation Plan Update and up to \$50,000 for a "Social Norming" project, if approved by City Council. Any expenditures on these two projects would be 80% reimbursed by the Jordan Valley Water Member Agency Grant.

The Social Norming project would pay for a conservation consultant/vendor to analyze utility billing data, identify high water users, and provide them with a customized report of water consumption with comparisons to "average neighbors" and "efficient neighbors" with similarly sized properties, and offer conservation tips. This Social Norming approach was considered one of the more effective ways to encourage behavior change in various public utilities, including water, electricity, and natural gas industries.

The 2014 Water Conservation Plan Update document had been prepared through collaboration with city staff and an outside consultant, Hansen Allen Luce Engineering, Inc. The Conservation Plan Update was written so that specific conservation programs were recommended, but would not be implemented unless City Council decided to fund them in the future. The Plan recommended realistic strategies that would help to achieve the City's long term water conservation goals.

No direct fiscal impact was anticipated. The Plan recommended various potential water conservation programs. However, the Plan did not commit or bind the City to spend any funds.

Staff recommended approval. The Plan was required to be submitted to the State once every 5 years. The Plan would serve as a guiding document to help recommend several specific water conservation programs if the Council chose to fund them in the future.

MOTION: Councilmember Nichols moved to approve the proposed Resolution 14-234, adopting the 2014 Water Conservation Plan Update for the City of West Jordan. The motion was seconded by Councilmember Haaga.

A roll call vote was taken

Councilmember Haaga	Yes
Councilmember Hansen	Yes
Councilmember McConnehey	Yes

Councilmember Nichols	Yes
Councilmember Southworth	Yes
Councilmember Stoker	Yes
Mayor Rolfe	Yes

The motion passed 7-0.

DISCUSSION AND POSSIBLE ACTION REGARDING RESOLUTION 14-235, AUTHORIZING THE MAYOR TO EXECUTE THE STATEWIDE UTILITY LICENSE AGREEMENT WITH UDOT REQUIRING THE CITY TO OBTAIN PERMITS FOR OPERATING, CONSTRUCTING AND MAINTAINING UTILITY LINES AND RELATED FACILITIES WITHIN STATE HIGHWAY RIGHTS OF WAY WITHIN WEST

The City of West Jordan signed a statewide license utility agreement with the Utah Department of Transportation January 3, 2002. This agreement allowed the City to operate construct, and maintain utilities in state highway right of way. It also addressed permit requirements, the possibility of special permit requirements, inspection, traffic control, emergency repairs, and the standards of construction when working in UDOT right of way. In January of 2014 the City received a letter from UDOT terminating the 2002 agreement and inviting the City to sign a new agreement.

City staff had the following concerns about the 2014 Statewide Utility License Agreement: (1) that the 2014 Statewide Utility License Agreement should not apply to existing facilities and existing permits; (2) that there should be a "reasonableness" requirement for conditions to be required by UDOT when issuing permits for future work; (3) that there should be a "reasonableness" requirement for minimizing traffic impacts during a project; (4) that the City should not carry liability insurance for its contractors but should only promise that its contractors would maintain similar insurance to that required of the City; and (5) that any applicable statute or administrative rule should be enforced independently and on its own merits, not incorporated as a term in the 2014 Statewide Utility License Agreement.

The enumerated concerns above were based on the following corresponding reasons: (1) that existing facilities and permits might not meet future UDOT requirements; (2) that "reasonable" conditions would be a fair requirement, since the Agreement authorized UDOT to impose additional special conditions at the time of permitting; (3) that "reasonable" minimization of traffic impact would be a fair requirement and keeping interference to an "absolute minimum" would be a difficult requirement for the City to meet; (4) that the City's contractors were independent from the City and could and should be responsible for their own actions and inactions and have insurance coverage; and (5) that a separate contract cause of action was unnecessary where a lawfully adopted statute or administrative rule applied.

UDOT had maintained that the license agreement they hoped the city would sign was a template UDOT used with all cities throughout Utah. Because the template was widely used throughout the State, it was unlikely that further negotiations with UDOT would

address the concerns above. Also, as long as negotiations continued, no permits would be granted according to State Administrative Code R930-7-6. This would affect future projects that the City desired to construct along UDOT right of way including the 7000 South Storm Drain Project.

There was no anticipated fiscal impact.

Councilmember Stoker shared the concerns outlined in the staff permit and recommended adopting the Resolution, but letting UDOT know that they were doing so under duress, and that they did not appreciate the agency's strong-arm tactics.

Councilmember McConnehey concurred with Councilmember Stoker but felt that the Council had no choice but to accept the agreement as submitted by UDOT.

Councilmember Nichols inquired as to whether or not anyone from the City had contacted Senator Harper about the situation. No one had. Like Councilmembers Stoker and McConnehey, Councilmember Nichols was not pleased with the agreement. Councilmember McConnehey indicated that he would contact Representative Tanner regarding the issue.

Mayor Rolfe indicated that he was of the opinion that staff should be directed to continue their efforts to negotiate the terms of the agreement with UDOT. He also felt legislators should do the same.

MOTION: Councilmember Nichols moved to adopt Resolution 14-235, authorizing the Mayor to execute the statewide utility license agreement with UDOT which is required for the city to obtain permits for operating, constructing and maintaining utility lines and related facilities within state highway rights of way within West Jordan. The motion was seconded by Councilmember Stoker.

A roll call vote was taken

Councilmember Haaga	Yes
Councilmember Hansen	Yes
Councilmember McConnehey	Yes
Councilmember Nichols	Yes
Councilmember Southworth	No
Councilmember Stoker	Yes
Mayor Rolfe	Yes

The motion passed 6-1.

DISCUSSION AND POSSIBLE ACTION REGARDING RESOLUTION 14-236, AUTHORIZING STAFF TO SUBMIT THE 'WEST JORDAN ROAD

**TRANSFER EVALUATION' TO UDOT FOR FURTHER PROCESSING
ALONG WITH OPTION NO. ____ AS OUTLINED IN THE STAFF
REPORT.**

On June 11, 2014, the City Council approved the Cooperative Agreement between the Utah Department of Transportation and the City of West Jordan for the SR-48 (7800 South) and 9000 South Road Transfer Evaluation Study. The City had a contract with Horrocks Engineers Inc. to conduct the study in accordance with Utah State Code. The Study was complete and was presented to the City Council for their review and direction.

Following the State Code Criteria and preceding analysis, the study recommended that the City and UDOT exchange ownership and maintenance of 9000 South to UDOT as 9000 South provided better connectivity between I-15, Bangerter Highway and Mountain View Corridor than SR-48. It was recommended that UDOT and the City exchange ownership and maintenance of SR-48 to the City. It was also determined that 7800 South (from New Bingham Highway to SR-111) failed to meet the criteria for a state highway, was excluded from further evaluation and discussion for transfer and should remain a local road under the City's jurisdiction. The focus was on exchanging SR-48 and 9000 South.

A cost analysis was performed to determine the financial obligations for an annual maintenance cost for a ten year period. The analysis resulted in UDOT owing \$126,000 to the City. The simplified cost comparison was located on page 5 of the Study. The cost was determined based on the assumption that 9000 South reconstruction from 4800 West to 5600 West would be constructed as currently planned in this fiscal year capital improvement plan. The average 10 year maintenance costs for 9000 South were estimated at \$810,000 and SR-48 at \$936,000.

There was no fiscal impact anticipated at this time. The report indicated that if the transfer of 9000 South from Redwood Road to Mountain View Corridor to UDOT was approved, it would save the City an estimated \$150 million in future costs. The City could receive additional funds from UDOT to cover maintenance costs depending on final negotiations.

Staff recommended submittal of the 'West Jordan Road Transfer Evaluation' to UDOT for further processing with a request to transfer 9000 South from Redwood to Mountain View Corridor to UDOT in exchange for the City taking over ownership of SR-48 (7800 South /New Bingham Highway/5600 West) from Redwood Road to Mountain View Corridor from UDOT.

Councilmember Nichols expressed a concern that UDOT might dictate what was to happen with Bangerter Highway when it becomes time to install a new overpass at 9000 South. Mr. Rigby indicated that the new UDOT Director appeared to be more interested in communicating with the City about common projects.

Councilmember Stoker felt that both 7800 South and Redwood Road should be State roads. However, if a trade was required, he preferred giving them 9000 South from

Redwood Road to Bangerter Hwy, or 4000 West. He indicated he did not like any of the options presented in the staff report.

Mayor Rolfe expressed a desire to resume a discussion that had taken place the previous Spring, wherein the City would allow UDOT to have the major highways and the City would handle New Bingham Hwy from the "Y" intersection.

UDOT Engineer Tracy Conti pointed out that there would be a financial reimbursement from UDOT to the City (roughly \$120K-\$130K) because there would be more lane miles coming to the City than the City would be giving away. He also indicated that 7800 South did not currently meet the Wasatch Front Regional Council's (WFRC) criteria for a "principle arterial" road, although that criteria could change in the future. Finally, he explained the manner in which UDOT calculated compensation for lane mileage.

In response to an inquiry from Councilmember Southworth, Mr. Conti estimated that there could be a difference of roughly \$50K-\$60K difference concerning New Bingham Highway only; although the Region II Director was open to negotiation.

Mayor Rolfe recommended that the Engineering staff work with UDOT to come to a mutually agreeable decision.

MOTION: Councilmember Stoker moved to adopt Resolution 14-236, authorizing staff to submit the 'West Jordan Road Transfer Evaluation' to UDOT for further processing as a jurisdictional transfer of New Bingham Highway (SR 48) between 5600 West to Bangerter Highway, leaving New Bingham (SR 48) between Redwood Road and Bangerter Highway in State control; and surrender to UDOT 9000 South from Redwood Road as much as the City could negotiate westward as possible. The motion was seconded by Councilmember Southworth.

Councilmember Nichols wanted to ensure that the City did not turn over more of 9000 South than was necessary until it possibly became classified as a principle arterial roadway.

A roll call vote was taken

Councilmember Haaga	Yes
Councilmember Hansen	Yes
Councilmember McConnehey	Yes
Councilmember Nichols	Yes
Councilmember Southworth	Yes
Councilmember Stoker	Yes
Mayor Rolfe	Yes

The motion passed 7-0.

DISCUSSION AND POSSIBLE DIRECTION REGARDING THE FACILITY USE POLICY AND POSSIBLE CODE CHANGES FOR FACILITY AND PARKS USAGE

The Events Coordinator, Parks Department and Legal Department had worked over the last year or more on addressing issues raised by various groups, such as athletic leagues, related to use of City park facilities. Primarily, the questions were related to the reservation process, the type and extent of use that would be allowed and the time of year that certain facilities would be available. City staff met with league representatives to review the City Code and the West Jordan Facility Use Policy and had incorporated their suggestions to address concerns. Complete drafts of the proposals were included with the request for council action. To clarify some of the specific revisions and the reasons behind them, some items are summarized below. It may be noted that while fees had also been raised as a concern, the fees were adopted by City Council as part of the annual fee schedule and the amounts were not addressed in the City Code sections or the Facility Use Policy presented and reviewed.

Proposed Text Amendments

During this process, it was also noted by staff that the existing Facility Use Policy contained some information and requirements that would be more appropriately addressed in the City Code, specifically Title 3, Chapter 5 "Rental of City Building Facilities" and Title 8, Chapter 13 "Parks and Recreation." The attached drafts of those chapters reflect staff's proposed revisions to the City Code to meet this need and also to add and clarify some of the existing provisions as follows:

1. A list of available rooms and buildings was proposed in section 3-5-1 to clarify building facilities that were available for reservation by the public.
2. Section 3-5-2 was added to cover reservations, state that the reservations were permitted and specify cancellation requirements. This section also gave the time limits for scheduling a reservation (no fewer than two weeks and no more than 11 months prior to the use).
3. Fees were still as set forth in the fee schedule that was adopted by the City Council each year, but clarifying language was also included in section 3-5-3 to describe the requirement for deposits to be paid to the City to cover any repairs or cleaning that the City performed after the use.
4. Requirements of Title 3, Chapter 5 regarding smoking, alcoholic beverages, City Manager authority and conditions for denial remain the same except that holding an activity on a Sunday is no longer a reason for denial (as Pioneer Hall is now rented by the City and is available for Sunday rentals with a higher rental fee), and staff proposed to add as a reason for denial any withholding of a deposit for a past reservation within the previous 3 years.

5. Section 8-13-1 had been updated to include all of the City's current park facilities and to reclassify the Arena as a City recreational facility, not a park. A definitions section had also been added to clarify some of the terms that were used by City staff related to City facilities and reservation of City facilities.
6. The hours of operation in section 8-13-2 had been updated to: (a) use specific and more clearly understood times; (b) clarify that City parks were seasonal and had no snow removal, less trash removal and no restrooms during certain months; (c) clarify the reservation procedures, especially for leagues for which City Council had directed staff to define the time periods during which tournament reservations and league play reservations could be submitted; (d) state the cancellation policy for reservations, including that seasonal reservations and tournaments would not receive a refund (this was due to the advance priority these reservations received that would prevent other users from reserving the facility).
7. The fees for park reservations were still as adopted by the City Council in the fee resolution, but as with building reservations, the use of deposits was clarified in section 8-13-15.
8. The list of prohibited activities in section 8-13-6 had been updated to include additional needed prohibitions, clarify certain requirements and reformat.
9. Regulations related to smoking and the City Manager's authority were the same.
10. Changed pavilion rental timeframe to one all-day rental rather than two half-day rentals, which would save staff time and simplify the process.

Proposed Facility Use Policy

City staff met with the leagues that use City athletic fields and concession stands for baseball, football and soccer. Baseball was held at the Veterans Memorial Park and the Ron Wood Baseball Complex, football was held at Constitution Park, and soccer was held at the Utah Youth Sports Complex. City staff sought direction from City Council and the City Manager and it was determined that the following should be addressed:

- (1) Clarify what constitutes a youth league;
- (2) Have a time to apply that is earliest for the highest priority use (tournaments), later for the second priority use (league seasonal use) and later for lower priority use, etc.; and
- (3) Allow the City Manager discretion to require a lease if needed for use of concession stands.

Although some provisions of the Facility Use Policy were moved to the City Code sections discussed above, some of the concerns were addressed in the proposed Facility Use Policy as follows:

1. "Reservation Priorities for City Facilities" were addressed on page 11 (section IV.E.). They were first requested, first assigned. However, for simultaneous requests that would occur during the same application period (i.e. tournaments, seasonal league reservations), they were as follows: (a) City Events; (b) City-Sponsored Events; (c) Special Events; (d) league over non-organized ad hoc group; (e) youth over adult; (f) group without policy violations in the last three years; (g) leagues were scheduled in the order of percentage of West Jordan residents (highest to lowest); (h) historical use; (i) after consideration of all other factors, the date and time of the submitted application would be the tie-breaker if needed (not likely). As stated in the proposed Facility Use Policy, some of these priorities applied only to athletic fields and would not be used for a building, pavilion or other park reservation.
2. "Consideration of Application" (section IV.C.1.g) allowed for tournaments to be scheduled with a minimum of one week between each.
3. Concession stands were addressed in section IX of the proposed Facility Use Policy beginning on page 16. The prior policy linked use of concession stands to use of the adjacent athletic fields. As there did not appear to be a City need to include this restriction, it was removed. However, a person or entity reserving the athletic field would have priority if the concession stand request was submitted concurrently. While concession stands were available for seasonal rental, it had been clarified that temporary snack bars must be on a case-by-case basis. This was due to Salt Lake County Health regulations. The proposed policy clarified that applications for concession stands and temporary snack bars could be received no fewer than two weeks and no more than 11 months in advance and that a seasonal permit might be available or a lease could be required at the discretion of the City Manager. Storage in concession stands was allowed between uses, at the risk of the user, but must be removed prior to reservation dates and times of other users, two days after the last reservation of the season and at the request of the City.
4. Other policies regarding fees and deposits, park closures, ability to exclude others from reserved areas, inflatable toys, denial of permits, maintenance, use of outside equipment or maintenance by others, lost/stolen/damaged property, grilling, fees and deposits, service in lieu of fees, inspections by users, compliance with laws, keys and combinations for locks, insurance and special event permits were not changed except for reformatting and other minor revisions to improve readability.

There was no anticipated fiscal impact.

Staff recommended that the City Council review draft ordinances and policies and provide direction to staff to return to a future City Council meeting for discussion and possible action.

At the request of Councilmember Haaga, Event Coordinator Julie Brown restated the

prioritization that was created within the policy regarding various groups or individuals requesting use of City facilities.

Councilmember McConnehey requested that when this item was brought back to the consent calendar at a future meeting, the report include strike through language so that the Council could readily see the changes made.

DISCUSSION AND POSSIBLE DIRECTION REGARDING THE 2015 EVENT SCHEDULE

Meet the City, March 4th 6 – 8pm. This event was originally designed to bring transparency to the budget process and to gauge residents' level of interest on a tax increase. We have all departments on hand with displays and information to help residents with any questions they may have. It's a great way to show off new projects or to present difficult projects in a way that is understandable. We also invite local nonprofits and our committees to attend and show off their work, sell tickets and recruit volunteers for their committee. The event could bring plenty of scouts looking to earn their citizenship merit badge and approximately 50 – 75 residents.

☐ Yes, let's do this

☒ No, revisit at Strategic Planning

Comcast Cares / I Love West Jordan Day of Service, April 25th 8am – 1pm. West Jordan had been chosen to be a Comcast Cares location for a second year in a row. Volunteers are a great asset. In the past, we had planted hundreds of trees, tossed thousands of pounds of soft fill and cleaned countless miles of trails. Comcast provided up to \$3,000 in equipment and supplies, T-shirts, breakfast and lunch for the volunteer labor. They also provided a dollar match for each volunteer who participated that the City could donate to a nonprofit of our choice (\$17,610 in 2014). In 2015 they had tasked us with recruiting 2,000 plus volunteers for this day.

☒ Yes, let's do this

☐ No, let's revisit next year

Get Into The River Festival, May 14th & May 30th all day. This event kicked off in 2014 with a trail-long festival through multiple cities. West Jordan was a big location opening up a new tunnel connecting the trail through to Sandy. Conservation Day is May 14th for this festival where volunteers are encouraged to come down to the river to clean up trash, pull invasive weeds etc. For 2015 we would need to recruit and manage all volunteers for this day. On May 30th they would like each city to provide some sort of event or activities drawing people to the trail. They will provide each city approximately \$300-\$500 for the event. The festival organizers would provide all advertising and promotion.

☒ Yes, let's do this

☐ No, let's revisit next year

Memorial Day Tribute, May 25th 6 – 7pm. The Memorial Day Tribute started in 2008. In the earlier years, we were able to get military support with Apache helicopter displays,

Hill Air Force Flyovers and staffing to make the event larger than life. With budget cuts and the federal sequester, it's been difficult to get that type of support. For the past three years, we have put the event on without those items and have kept an audience of approximately 400-500.

☒ **Yes, let's do this** ☐ No, let's revisit next year

Library Summer Kick-off / Health Fair June 6th 9am – 3pm. If you have grade school kids or grandkids, this is the place to be. With fire trucks, police vehicles, Darth Vader, princesses and plenty of activities for kids, the event attracts up to 7,000 visitors. While the kids play and learn about fire safety, parents can get their cholesterol checked, learn about green waste, city recycling programs and other city services. We also invite our committees to set up a booth and promote their upcoming events and recruit volunteers for their groups.

☒ **Yes, let's do this** ☐ No, let's revisit next year

Western Stampede PRCA Rodeo, July 2nd-4th, 7 – 10pm. What an event this has become! In 2014 we had our first ever Sold Out rodeo in probably 15 years. With the stock, the cowboys/cowgirls and first-rate entertainment, the Western Stampede has taken the rodeo world by storm. Our new chairman has amazing ideas and is always watching the bottom line to make sure the committee makes smart decisions. This year is shaping up to be another amazing year!

☒ **Yes, let's do this** ☐ No, let's revisit next year

Independence Day Festival July 2nd-4th, 10am – 10pm. I've had requests from residents to bring back the carnival and requests from regional carnival companies to make the event a success again. In 2012 we stopped holding the carnival for multiple reasons including staffing costs, the element carnivals bring to our city, the number of carnivals already scheduled in neighboring cities, and the type of carnivals available. I've been asked to see if Council would consider sending out an RFP for a carnival and seeing if it's something the city would like to have back.

☒ **Yes, but investigate with a Request for Proposal**

Independence Day Parade July 4th, 10:30am – 1pm. We made some changes to the parade last year, which improved the parade flow. We are continuing to incorporate some great suggestions to get our parade to be the best on July 4th! From switching the route direction, adding additional announcer booths, improved staging protocols and actively recruiting more floats to be in our parade, under the direction of our new parade committee, the parade will only get better and better!

☒ **Yes, let's do this** ☐ No, let's revisit next year

Movie in the Park July 4th, dusk – 10:30pm. This is our only movie in the park. People come early to catch the show while waiting for our Independence Day Fireworks program. Movies are G and PG rated/family friendly shows.

☒ **Yes, let's do this** ☐ No, let's revisit next year

Fireworks July 4th, 10 – 10:30pm. We will again be going out to bid for fireworks companies to host our Fourth of July show. The show generally runs 28 minutes.

☒ **Yes, let's do this** ☐ No, let's revisit next year

West Jordan Endurocross mid to late August. There's always fun at the West Jordan Arena when motorcycles and side by sides race against the clock taking on unbelievable obstacles! This event has nonstop action from the moment the horn sounds until the checkered flag waves. Each heat contains contestants from around the region and homegrown enduro athletes. This event was originally presented to City Council in 2012 and approved for a 2013 event. Unfortunately we ran into some issues that made it impossible to do the event. We're ready for 2015!

☒ **Yes, let's do this** ☐ No, let's revisit next year

West Jordan Demolition Derby early September. Bring your ear plugs and watch powder puff, couples and trucks battle it out in the arena to be the last vehicle moving! Crunching metal, bent wheels and smoking engines are only the start of what can be found at the West Jordan Demolition Derby. Please, no rain or lightening this year.

☒ **Yes, let's do this** ☐ No, let's revisit next year

The fiscal impact would be determined by the event(s) and the selected budget.

DISCUSSION AND POSSIBLE DIRECTION REGARDING THE 2015 WEST JORDAN PIONEER DAYS

Pursuant to City Code Section 3-4-1, the City Council could waive fees otherwise due to the City, and could otherwise provide financial and nonfinancial support to a nonprofit entity providing services to the citizens of the City, if the City complied with section 10-8-2 of the Utah Code. Section 10-8-2 limited the charitable contribution to a nonmonetary contribution, such as fee waivers and City services. It also limited the total charitable contributions for the fiscal year to 1% of the City's budget for that fiscal year and required a public hearing prior to approval.

For 2015, the Olive Osmond Hearing Fund would be making substantial changes to their events.

- Open gate, free admission
- Two nights instead of three
- No park activities, only the pageant

The changes were the event being two days, the marketing dollars decreasing from \$20,000 to \$16,300 and a total cost increase of \$2,100 going from \$57,200 to \$59,300.

The Olive Osmond Hearing Fund was a nonprofit corporation and requested nonmonetary contributions for West Jordan's Utah Pioneer Days valued as follows totaling \$42,550.00:

- The Event Producer could use Veterans Memorial Park or the West Jordan Arena without payment of rental fees to the City, valued at \$500.00 per day for the park and \$400.00 per day for the Arena. They would use an estimated 15 days for set up, the event and take down totaling \$7,500.00 and \$6,000.00.
- City staff would perform cleaning services during the event without charge to the Event Producer, not to exceed a value of \$1,200.00.
- City staff would perform security and EMS services without charge to the Event Producer, not to exceed a value of \$8,200.00.
- City would provide garbage collection, water service, and electrical service at no additional cost to the Event Producer, valued at \$3,600.00.
- City would provide the services of an Event Coordinator to assist with planning during event dates and post event, not to exceed a value of \$17,500.00.
- City would provide the services of a Public Information Officer to assist with promotions and advertising through West Jordan marketing forums including but not limited to the West Jordan Journal Good Neighbor News pages, West Jordan social media, and the West Jordan website, not to exceed a value of \$5,200.00
- ASCAP/BMI (services we pay royalties to in order to play music) fees estimated at \$350.00 *(This is a new item for 2015.)*
- Mass Gathering Permit \$500 *(This is a new item for 2015.)*
- More advertising by the City on the Good Neighbor News pages and social media (no estimated cost available). *(This is a new item for 2015.)*
- Insurance (The city did not provide insurance for third party events. Because we do not control the event, we cannot control the liability they put upon us. This item should be discussed with the attorney's office.) *(This is a new item for 2015.)*

In addition, it was proposed that the Olive Osmond Hearing Fund provide media marketing and fireworks display services for the Utah Pioneer Days totaling \$59,300.00 for the following:

- Rental equipment including but not limited to portable restrooms, canopies, tables, chairs = \$21,000.00
- Fireworks = \$12,000.00
- Advertising = \$16,300.00
- Entertainment = \$10,000.00

These services would be provided in conjunction with other services included in producing the event.

Sponsorship payment of \$59,300.00 was to be used for advertising, fireworks, entertainment and rental equipment. City staff, services and fees were not to exceed \$42,550.00.

Justin Osmond shared some highlights of the previous years' event and briefly summarized the proposed changes for the coming year.

This was a discussion item only. The Council agreed to bring the item back for Council approval during a future meeting.

DISCUSSION AND POSSIBLE DIRECTION REGARDING THE STORM WATER FEE

Bryce Haderlie turned the time over to Ryan Bradshaw who explained the following:

1. Option #1 was to remain with the current rate structure, and include no bonding options
2. Option #2 was to raise the Storm Water fee to \$6.00 per Equivalent Residential Unit (ERU) and to change the ERU calculation for commercial customers from 10,000 square feet per ERU to 6,000 Square Feet per ERU. He explained that this option would allow the completion of nearly \$31 million in storm water projects within the next ten years. He estimated that another rate increase should not be necessary during that ten years although he admitted that it would depend on a variety of factors.
3. Option #3 was to remain with the current rate structure, and bond for the maximum amount possible (approx. \$1,500,000 to \$1,700,000). This option would get the City only through the next two years' worth of storm water projects.
4. Option #4 Staff brought an inactive Spreadsheet to allow Council to propose different scenarios.

Mr. Bradshaw indicated that each option included a 3% increase in salary and benefits each year as well as a 2% operating increase. They also accounted for an annual increase to both the residential and commercial ERUs.

There was no anticipated fiscal impact.

Staff recommended that the Council examine the options provided. Staff was prepared to discuss the options and their impact to both the City and the citizens.

The spreadsheet referenced above (Option #4) was included in the agenda packet.

Mayor Rolfe indicated his preference for Option #3 because it would allow the 7000 South improvements to take place and it would not show a deficit for two years. By then

the storm water study would be complete. He reiterated his previous comments regarding his belief that the 7000 South storm drain should have been paid for with impact fees.

MOTION: Councilmember McConnehey moved to approve Option #2—raising the Storm Water fee to \$6.00 per Equivalent Residential Unit (ERU) and to change the ERU calculation for commercial customers from 10,000 square feet per ERU to 6,000 square feet per ERU. The motion was seconded by Councilmember Stoker.

In response to Mr. Bradshaw's mention of an 80 ERU cap that was currently in place on commercial properties, Councilmember Southworth indicated his preference for leaving the cap in place. Like Mayor Rolfe, he expressed his preference for Option #3 and would therefore speak against the motion.

Councilmember Haaga also spoke against the motion, indicating that the Council should wait for the results of the study before making such long-term plans and also focus on the 3200 West/7000 South problem that was of immediate concern.

Councilmember McConnehey was of the opinion that Option #2 addressed the immediate problem. He also suggested a desire not to repeat previous mistakes made when the Council adopted a 'wait and see' attitude and ended up waiting too long.

Councilmember Nichols liked Option #2 because it was a long-term solution and also because it placed more of a burden upon commercial entities who use more of the resource.

Councilmember Southworth inquired as to when a rate change would take place. Councilmember McConnehey indicated he assumed that Staff would bring it before the Council within the next one to three Council meetings. It was also pointed out that both Options #2 and #3 would take the City over the \$10 million cap on bank-qualified bonds which would increase the interest rate slightly.

Councilmember Haaga and Mr. Bradshaw discussed the fact that the Council could declare the \$224,000 debt service (that the City was currently paying back) a *transfer* rather than a loan.

Mayor Rolfe stated his belief that Option #2 was unfair to those businesses within the City who had already paid high impact fees, then borne the costs of retaining the water on their property and would now be asked to pay increased storm water fees. He felt it was counter-productive to the City's economy and therefore spoke against the motion.

A roll call vote was taken

Councilmember Haaga	No
Councilmember Hansen	Yes

Councilmember McConnehey	Yes
Councilmember Nichols	Yes
Councilmember Southworth	No
Councilmember Stoker	Yes
Mayor Rolfe	No

The motion passed 4-3.

Councilmember McConnehey asked that when Staff returns to Council with a rate recommendation that they address the Mayor's point regarding impact to local businesses and perhaps provide information regarding how other cities have addressed this issue.

**REVIEW AGENDA FOR STRATEGIC PLANNING SESSION
SCHEDULED FOR JANUARY 15-16, 2015.**

- ☐ Priority ranking and efforts
- ☐ Visioning Session
- ☐ Goal Session
- ☐ Soccer complex
- ☐ Economic Development policy
- ☐ Recognition and other benefit packages
- ☐ Department measurements
- ☐ Capital projects and funding options
- ☐ Benefit renewal presentation – GBS
- ☐ Salt Lake County Recreation program coordination
- ☐ Green sheet prioritization
- ☐ Code Enforcement strategy
- ☐ Staffing needs
- ☐ Sidewalk priorities

Bryce Haderlie explained that he sought Council direction regarding any items they felt needed to be either added or removed from the Planning Session agenda. He pointed out that based on discussion earlier in the evening (Business Item 6f) he had added *Discussion of Annual Events, Including Staff Support* as well as a discussion about a *Meet the City* event.

Councilmember Haaga requested that a demonstration of the new ERP system.

Mayor Rolfe indicated an item regarding Capital Projects and funding options. He specifically wished to have the 7000 South project designed and under construction in 2015, and that he felt it should be split into two contracts—one east of Redwood and the other west of it.

Councilmember Nichols wished to ensure that Parks funding would be discussed since it had already been postponed previously.

VII. REMARKS

Councilmember Southworth expressed his appreciation to the rest of the Council and staff, wishing them all Merry Christmas.

There were no additional remarks.

VIII. ADJOURN

MOTION: Councilmember Nichols moved to adjourn the City Council meeting. The motion was seconded by Councilmember McConnehey and passed 7-0 in favor.

The meeting adjourned at 8:32 p.m.

The content of the minutes is not intended, nor are they submitted, as a verbatim transcription of the meeting. These minutes are a brief overview of what occurred at the meeting.

KIM V ROLFE
Mayor

ATTEST:

MELANIE BRIGGS, MMC
City Clerk

Approved this 7th day of January 2015